

REMARKS

Claims Objections

Claims 7, 9, and 13 were objected to because of informalities. More specifically, claim 7 included “bracing member” instead of “bracing device,” claim 9 included “couple” instead of “coupled,” and claim 13 included “a plurality of of” instead of “a plurality of.” To conform with these objections, Applicant has amended claims 7, 9, and 13 as provided above.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-2, 4-13, and 15-20 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,507,118 (hereinafter “Brown”). Claims 1-3 and 13-14 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 2000179182A (hereinafter “Ichikawa”).

In light of the foregoing rejections, a general review of the present invention may help clarify the novelty of Applicants’ claims over the references under consideration. Referring to paragraphs [0031], [0033], [0038], and [0039] of Applicant’s specification, the present invention may include a window or door bracing system having a plurality of bar-like bracing members rotatably coupled via a coupling device such as a carriage bolt. Each bracing member may rotate about the coupling device through a 360-degree range and adjust in length to conform to the structure to be braced.

For example, a user may rotate a first bracing member to a vertical position and adjust the length of the first bracing member to fit the vertical dimensions of the structure to be braced. Once the first bracing member is secured, a second bracing member may be similarly rotated, adjusted, and secured to brace a horizontal dimension of the structure. With the first and second bracing members in place, a third and a fourth bracing member may also be rotated, adjusted, and secured to opposing diagonal dimensions to complete, for example, an eight-point star configuration. As such, the present invention presents a bracing solution that may be adapted to support rectangular structures, and other enclosed geometric structures such as, but not limited to, circles, ellipses, and polygons.

Relying on Brown and referring to the previously submitted claim 11, the Office Action

states that, “Brown teaches the bracing device...wherein the coupling device is configured to couple the bracing members such that the bracing members are rotatable through a 360-degree range around the coupling device. The coupling device can be loosened allowing the members to rotate completely and align with each other.” According to Applicant’s reading, loosening the Brown coupling device to allow the members to rotate would require substantially dismantling the Brown window guard which would likely include unfastening multiple screws, repositioning multiple cross members, repositioning multiple brackets, retightening the screws, and possibly more depending upon the scenario.

As such, Applicant respectfully asserts that Brown fails to anticipate “a coupling device configured to rotatably couple the bracing members together such that each of the plurality of bracing members is configured to rotate 360-degrees around the coupling device while coupled to the coupling device.” Additionally, given the stationary and static configuration of Brown, Applicant respectfully asserts that Brown fails to provide a motivation for a support device that accomplishes the same. In other words, given the time and effort required to set-up or rotate the Brown support device (i.e. aligning cross members with multiple coupling devices and brackets, and fastening each member, device, and bracket with multiple screws) Applicant submits that Brown teaches away from the more dynamic and adaptable bracing solution claimed herein.

With reference to Ichikawa, the Office Action provides no anticipatory reference to dependent claim 11 which is the primary source of the recently added limitation to the foregoing independent claims. As such, Applicant respectfully asserts that Ichikawa fails to anticipate the amended claims set forth herein.

Conclusion

In order to further clarify the present invention, Applicant has amended independent claims 1, 13, and 20. Applicant submits that the amendments sufficiently clarify the claimed subject matter and place the claims and their dependent claims in condition for allowance. In the event any questions remain, the Examiner is respectfully requested to initiate a telephone conference with the undersigned.

Respectfully submitted,

Date: July 5, 2007

Kunzler & McKenzie
8 E. Broadway, Suite 600
Salt Lake City, Utah 84101
Telephone: 801/994-4646

___/Brian C. Kunzler/___

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant